



#16 w/attach
IDS
16-2703
Attorney Docket: 8321-0115 US
(formerly DIE01-NP001)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
RECEIVED
JUN 04 2003

Application of: Bernhard Dietzhold *et al.*
Application No.: 09/816,531
Filed: March 23, 2001
For: GENETICALLY ENGINEERED RABIES
RECOMBINANT VACCINE FOR
IMMUNIZATION OF STRAY DOGS AND
WILDLIFE

Group Art Unit: 1648

Examiner: L. Scheiner

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT UNDER
37 C.F.R. § 1.97(c) AND § 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty of disclosure under 37 C.F.R. §1.56, and in accordance with the practice under 37 C.F.R. §1.97(c) and §1.98, Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO/SB/08A. This Information Disclosure Statement is being filed *after* receipt of the first office action but before the mailing date of a final office action under §1.113 or a Notice of Allowance under §1.311.

06/02/2003 MGBREM1 00000051 500573 09816531
01 FC:1806 180.00 CH

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BY

Shannon R. Smith

DATE:

5/28/03

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each, any, and all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the present applicant and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Further, Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied as prior art against the claims of the present application.

CONCLUSION

It is respectfully requested that the attached information be considered by the Examiner and that a copy of the attached Form PTO/SB/08A be returned indicating that such information has been considered.

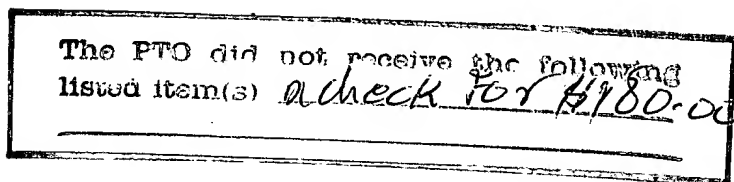
FEE

A check is submitted herewith in satisfaction of the \$180 surcharge pursuant to 37 C.F.R. §1.17(p). The Commissioner is hereby authorized to charge any underpayment of that fee, or any other fee associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Direct Account No. 50-0573.

Respectfully submitted,
Bernard Dietzhold *et al.*

By: _____

DANIEL A. MONACO
Reg. No. 30,480
Drinker Biddle & Reath LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Tel. (215) 988-3312
Fax. (215) 988-2757
Attorney for Applicants



| | | |
|---|---|---------------------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE CITATION IN AN APPLICATION MAY 3 0 2003 PATENT & TRADEMARK OFFICE | ATTY DOCKET NO.. 8321-0115 (37075-179015) | SERIAL NO. 09/816,513 |
| | APPLICANT Bernard Dietzschold et al. | |
| | FILING DATE March 23, 2001 | GROUP 1648 |

U.S. PATENT DOCUMENTS

| EXR. INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
|-----------------|-----------------|------------|-----------------|-------|----------|---------------------------------|
| AA | 5,853,735 | 12/29/1998 | Benejean et al. | 424 | 208.1 | |

FOREIGN PATENT DOCUMENTS


| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLA TION YES | NO |
|----|--------------|---------|---------|-------|----------|------------------------|----|
| AB | WO 01/70932 | 9/27/01 | WO | C12N | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|--|
| AC | Allen and Seed (1989) <i>Science</i> 243:378-80 |
| AD | Berg et al. (1995) <i>J. Clin. Invest.</i> 96:2339-2347 |
| AE | Bogdan et al. (1991) <i>J. Exp. Med.</i> 174:1549-1555 |
| AF | Carrera et al. (1996) <i>J. Exp. Med.</i> 183:515-526 |
| AG | Cassatella et al. (1989) <i>J. Exp. Med.</i> 169:549-567 |
| AH | Chattergoon et al. (2000) <i>Nat. Biotech.</i> 18: 974-979 |
| AI | Chehimi et al. (1994) <i>J. Exp. Med.</i> 179:1361-1366 |
| AJ | Cohn et al. (1946) <i>J. Am. Chem. Soc.</i> 68:459-475 |
| AK | Conzelman (1998) <i>Ann. Rev. Genet.</i> 32: 123-162 |
| AL | Dalrymple et al. (1995) <i>Infect. Immun.</i> 63:2262-2268 |
| AM | D'Andrea et al. (1993) <i>J. Exp. Med.</i> 178:1041-1048 |
| AN | Davidson et al. (1996) <i>J. Exp. Med.</i> 184:241-251 |
| AO | Dietzschold et al. (1983) <i>Proc. Natl. Acad. Sci. USA</i> 80:70-74 |
| AP | Dietzschold et al. (1985) <i>J. Virol.</i> 56: 12-18 |
| AQ | Dietzschold et al. (1999) <i>Molecular Pathogenesis of Rabies</i> , Abstract Presentation, 10 th Annual Rabies in Americas, Nov. 14-19, San Diego, CA |
| AR | Dietzschold et al. (2000) <i>J. Human Virol.</i> 3:50-57 |
| AS | Faber et al. (2002) <i>J. Virol.</i> 76: 3374-3381 |
| AT | Finke et al. (2000) <i>J. Virol.</i> 74: 7261-7269 |

| | |
|--|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | |

Sheet 2 of 3

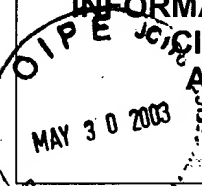
| | | |
|--|---|----------------------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE CITATION IN AN APPLICATION  | ATTY DOCKET NO.. 8321-0115 (37075-179015) | SERIAL NO.. 09/816,513 |
| | APPLICANT Bernard Dietzschold et al. | |
| | FILING DATE March 23, 2001 | GROUP 1648 |

JUN 04 2003

TECH CENTER 1600/2900

| | |
|----|--|
| AU | Fiorentino et al. (1991) <i>J. Immunol.</i> 146:3444-3451 |
| AV | Galelli et al. (2000) <i>J. Neurovirol.</i> 6: 359-372 |
| AW | Gavin et al. (1998) <i>J. Immunol.</i> 160:20-23 |
| AX | Germann et al. (1995) <i>Proc. Natl. Acad. Sci. USA</i> 92:4823-4827 |
| AY | Hale et al. (1988) <i>Lancet</i> 2:1394-1399 |
| AZ | Hart et al. (1995) <i>Immunol.</i> 84:536-542 |
| BA | Hazenbos et al. (1996) <i>Immunity</i> 5:181-188 |
| BB | Heinzel et al. (1993) <i>J. Exp. Med.</i> 177:1505-1512 |
| BC | Howard et al. (1993) <i>J. Exp. Med.</i> 177:1205-1208 |
| BD | Jallet et al. (1999) <i>J. Virol.</i> 73: 225-233 |
| BE | Jones et al. (1986) <i>Nature</i> 321:522-525 |
| BF | Karp et al. (1996) <i>Science</i> 273:228-231 |
| BG | Kincy-Cain et al. (1996) <i>Infect. Immun.</i> 64:1437-1440 |
| BH | Kleinveld et al. (1988) <i>Scand. J. Rheumatology</i> 75:157-163 |
| BI | Kothakota et al. (1997) <i>Science</i> 278: 294-297 |
| BJ | Kunkel et al. (1988) <i>J. Biol. Chem.</i> 263:5380-5384 |
| BK | Lee et al. (1988) <i>J. Chromatography</i> 444:141-52 |
| BL | Leonard et al. (1995) <i>J. Exp. Med.</i> 181:381-386 |
| BM | Malefyt et al. (1991) <i>J. Exp. Med.</i> 174:1209-1220 |
| BN | Malefyt et al. (1991) <i>J. Exp. Med.</i> 174:915-924 |
| BO | Mattner et al. (1996) <i>Eur. J. Immunol.</i> 26:1553-1559 |
| BP | Mebatsion et al. (1995) <i>J. Virol.</i> 69(3):1444-1451 |
| BQ | Mebatsion et al. (1996) <i>Proc. Natl. Acad. Sci. USA</i> 93(21):11366-11370 |
| BR | Morimoto et al. (1996) <i>Proc. Natl. Acad. Sci. USA</i> 93:5653-5658 |
| BS | Morimoto et al. (1999) <i>J. Virol.</i> 73: 510-517 |
| BT | Morimoto et al. (2000) <i>J. Neurovirol.</i> 6: 373-381 |
| BU | Morimoto et al. (2001) <i>Vaccine</i> 19:3543-3551 |
| BV | Muta et al. (1994) <i>Nature</i> 368:70-73 |
| BW | Nathan (1987) <i>J. Clin. Invest.</i> 79:319-326 |

| | |
|--|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | |

| | | |
|--|---|----------------------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE CITATION IN AN APPLICATION  | ATTY DOCKET NO.. 8321-0115 (37075-179015) | SERIAL NO.. 09/816,483 |
| | APPLICANT Bernard Dietzschold et al. | |
| | FILING DATE March 23, 2001 | GROUP 1648 |

RECEIVED
 JUN 04 2003
 TECH CENTER 1600/2900

| | |
|----|---|
| BX | Noel et al. (1992) <i>J. Infec. Dis.</i> 166:178-182 |
| BY | Oncley et al. (1949) <i>J. Am. Chem. Soc.</i> 71:541-550 |
| BZ | Pulmanausahakul et al. (2001) <i>J. Virol.</i> 75(22): 10800-10807 |
| CA | Queen et al. (1989) <i>Proc. Natl. Acad. Sci. USA</i> 86:10029-10033 |
| CB | Reid et al. (1997) <i>J. Immunol.</i> 159:970-975 |
| CC | Reiner et al. (1993) <i>J. Immunol. Methods</i> 165:37-46 |
| CD | Restifo (2000) <i>Curr. Opin. Immunol.</i> 12: 597-603 |
| CE | Rovere et al. (1998) <i>J. Immunol.</i> 161: 4467-4471 |
| CF | Sasaki et al. (2001) <i>Nat. Biotech.</i> 19: 543-547 |
| CG | Schnell et al. (1999) <i>Recombinant Rabies Virus as Potential Live-Viral Vaccines for HIV-1</i> , Abstract Presentation, 10 th Annual Rabies in the Americas, Nov. 14-19, San Diego, CA |
| CH | Sears et al. (1990) <i>J. Immunol.</i> 144:371-78 |
| CI | Shi et al. (2000) <i>Proc. Natl. Acad. Sci. USA</i> 97: 14590-14595 |
| CJ | Sutterwala et al. (1997) <i>J. Exp. Med.</i> 185:1977-1985 |
| CK | Sutterwala et al. (1996) <i>J. Leukocyte Biol.</i> 59:883-890 |
| CL | Takai et al. (1994) <i>Cell</i> 76:519-529 |
| CM | Takai et al. (1996) <i>Nature</i> 379:346-349 |
| CN | Tankersley (1994) <i>Immunol. Reviews</i> 139:159-172 |
| CO | Trembleau et al. (1995) <i>J. Exp. Med.</i> 181:817-821. |
| CP | Trinchieri et al. (1996) <i>J. Leukocyte Biol.</i> 59:505-511 |
| CQ | Tripp et al. (1993) <i>Proc. Natl. Acad. Sci. USA</i> 90:3725-3729 |
| CR | Tsunawaki et al. (1988) <i>Nature</i> 334:260-262 |
| CS | Verhoeven et al. (1988) <i>Science</i> 239:1534-1536 |
| CT | Vialtel et al. (1982) <i>J. Biol. Chem.</i> 257:3811-3818 |
| CU | Virag et al. (1998) <i>Immunol.</i> 94: 345-355 |
| CV | Wiktor (1977) <i>Proc. Natl. Acad. Sci. USA</i> 74: 334-338 |
| CW | Wright et al. (1980) <i>Biochem J.</i> 187:767-774 |
| CX | Wysocka et al. (1995) <i>Eur. J. Immunol.</i> 25:672-676 |
| CY | Yan et al. (2001) <i>J. Neurovirol.</i> 7: 518-527 |

| | |
|--|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | |